

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES LEYSTRA

And

PRAM SHARMA

Defendants.

)  
)  
) **NO. CR 06-0446 RSM**

) **ORDER TO CONTINUE PRE-TRIAL**  
) **MOTIONS DEADLINE AND TRIAL**  
) **DATE.**

ORDER OF THE COURT

This matter having come before the court on the Defendant's Motion to Continue the Pre-Trial Motions Deadline from January 4, 2007, to March 22, 2007, and a Motion to Continue the Trial date from February 5, 2007 to April 16, 2007, and the court having considered the arguments made by all parties, together with the balance of the records and files herein, This Court now finds as follows:

ORDER OF THE COURT - 1

Jesse Cantor, # 26736  
RIOS CANTOR, P.S.  
ATTORNEYS AT LAW  
811 FIRST AVE, SUITE 200  
SEATTLE, WA 98104  
(206) 749-5600

1 That this Motion is the first motion to continue the pre-trial motions deadline and trial  
2 date filed by any party;

3 That the parties anticipate involved investigation outside the United States in preparation  
4 for trial. Additionally, in light of the parties' scheduling conflicts, a trial date prior to April 16,  
5 2007, would unreasonably deny the parties continuity of counsel.

6 That the defendants understand their rights to a Speedy Trial pursuant to 18 U.S.C.  
7 Section 3161 and both have executed a speedy trial waiver that will accommodate an April 16,  
8 2007 trial date.

9 That no party, including the United States, opposes a Motion to Continue the pre-trial  
10 motions deadline and the trial date.

11 That this period of delay is reasonable; that the defendants are joined for trial; that the  
12 time for trial has not run; and that no motion for severance has yet been granted. 18 U.S.C.  
13 Section 3161(h)(7);

14 The Court finds that taking into account the seriousness of the charges and the exercise of  
15 due diligence, that the failure to grant the continuance would deny the defense the reasonable  
16 time for effective trial preparation;

17 Accordingly, This Court finds that the ends of justice served by granting the requested  
18 continuance outweigh the best interests of the public and the defendants in a speedy trial; 18  
19 U.S.C. Section 3161(h)(8)(A) and Section 3161(h)(8)(B)(iv).

20 The new proposed dates of March 22 , 2007, for the motions cut-off deadline, and April  
21 16, 2007, for the trial date, do not appear to prejudice any party, including the Government.

22 Accordingly, IT IS HEREBY ORDERED THAT:

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25 ORDER OF THE COURT - 2

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1 The Pre-Trial Motions Cut-Off date shall be extended to March 22, 2007, with a trial date  
2 of April 16, 2007.

3 It is further ordered that the period of delay resulting from this continuance is excludable  
4 pursuant to 18 U.S.C. Section 3161(h)(8)(A) and (B) as to each co-defendant.  
5

6 SO ORDERED ON THIS 9 DAY OF January 2007  
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10 RICARDO S. MARTINEZ  
11 UNITED STATES DISTRICT JUDGE  
12  
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14 Presented by:

15 s/ Jesse Cantor

16 Jesse Cantor  
17 Attorney for James Leystra.  
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